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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/010,697      | 11/08/2001  | Eric Verschueren     | 214327              | 7059             |

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EXAMINER

FUNK, STEPHEN R

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 03/12/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
10/010,697

Applicant(s)  
Verschuere et al.

Examiner  
Stephen Funk

Art Unit  
2854



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some\* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4 6) ☐ Other:

The disclosure is objected to because of the following informalities: On page 5 lines 7 and 8 reference to specific claim numbers should be avoided as the claims may be renumbered if a patent issues from this application. On page 5 line 21 "perfect" is misspelled. On page 17 lines 6 - 8 it is not clear how a "continuous" layer equates to a "uniform" layer. Continuous would imply that the layer is never ending or uninterrupted. Appropriate correction is required.

Claims 1 - 10 are objected to under 37 C.F.R. 1.75(a) as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1 line 2 "continuous" is vague and indefinite for the reasons stated above.

In each of claims 2 - 6 the preamble "A plate-making apparatus" is inconsistent with the preamble of claim 1 "An off-press plate-making apparatus". Likewise, see claim 7 lines 1 - 2, claim 8 line 1, and claim 10 line 2.

In each of claims 5 and 6 it is not clear how the emulsion relates to the plate-making apparatus of claim 1.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 - 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Vermeersch et al. (EP 802,457). Vermeersch et al. teach means for applying (220) an image recording layer on a substrate (240) and means for removing the image from the substrate (column 4 lines 5 - 10 and

column 6 lines 16 - 20). See the entire document of Vermeersch et al., in particular, column 5 lines 3 - 11 and Figure 1. With respect to claim 2 note the means for exposing (210) and means for processing (230). With respect to claim 3 see column 4 lines 48 - 49 of Vermeersch et al. With respect to claim 4 see column 4 lines 5 - 10 and column 6 lines 16 - 20 of Vermeersch et al.

Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vermeersch et al. in view of Barnett et al. (US 5,308,746). Vermeersch et al. do not teach the specific cleaning liquid. Barnett et al. teach a cleaning liquid comprising an organic phase and an aqueous phase. See column 2 lines 3 - 12 of Barnett et al., for example. It would have been obvious to one of ordinary skill in the art to provide the apparatus of Vermeersch et al. with a cleaning emulsion in view of Barnett et al. so as to provide superior cleaning of the image. With respect to claim 5 it would have been obvious to one of ordinary skill in the art to provide means for combining the two different liquids so as to simply prepare the homogenous cleaning liquid. With respect to claim 6 it would have been obvious to one of ordinary skill in the art to separate the phases of the cleaning liquid to eliminate and/or recycle the environmentally hazardous liquids.

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vermeersch et al. in view of Koguchi et al. (US 6,082,263). Vermeersch et al. do not teach the plate-making apparatus in combination with a printing press. Koguchi et al. teach the conventionality of a printing system comprising a printing press (2) and a plate-making apparatus (1) coupled with a plate loading/unloading means (24). See column 13 lines 8 - 27, column 15 lines 34 - 45, and Figure 4 of Koguchi et al., for example. It would have been obvious to one of ordinary skill in the art to provide the apparatus of Vermeersch et al. with a coupled printing

press and plate-making apparatus in view of Koguchi et al. so as to automatically transport an imaged plate to the press and transport a used plate back to the plate-making apparatus.

Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vermeersch et al. in view of Koguchi et al. as applied to the claims above, and further in view of Rombult et al. (US 6,085,657). Koguchi et al. do not specifically teach stacking the printing plates between the plate-making apparatus (1) and the printing press (2). Note the multicolor printing presses of Koguchi et al. in Figures 6 and 7. Rombult et al. teach the conventionality of providing a stacker before (142) and after (172) an exposure apparatus. See column 3 lines 35 - 41 of Rombult et al., for example. Rombult et al. is relied upon to teach storing stacked printing plates between operations. It would have been obvious to one of ordinary skill in the art to provide the apparatus of Vermeersch et al., as modified by Koguchi et al., with stackers between the plate-making apparatus and the printing press in view of Rombult et al. so as to accommodate multiple printing masters during operation of the printing press. With respect to claim 10 see column 13 lines 25 - 27 of Koguchi et al.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See, in particular, paragraph 48 of Verlinden et al. (EP 940,252) and column 1 lines 22 - 29 of Muth (US 5,623,877).

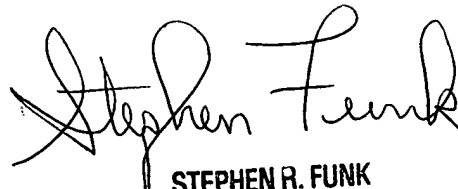
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Funk at telephone number (703) 308-0982. The examiner can normally be reached Monday - Friday, except Wednesdays, from 7:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Hirshfeld, can be reached at (703) 305-6619.

The fax number for *official* papers is (703) 308-7722, 7724. The fax number for those wishing an auto-reply verifying receipt of *official* papers is (703) 872-9318 or for After-Final actions is (703) 872-9319. Upon consulting with the examiner *unofficial* papers only may be faxed directly to the examiner.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at telephone number (703) 308-0956.

Stephen Funk  
March 6, 2003



STEPHEN R. FUNK  
PRIMARY EXAMINER